

### Welcome and Congratulatory Resolutions

S. R. No. 123—By Senator Bernal: Extending appreciation to Major General Frank E. Rouse of San Antonio for his unselfish devotion to our National defense.

S. R. No. 124 — By Senators Bernal and Berry: Extending welcome to members of The League of Women Voters of San Antonio.

### Adjournment

On motion of Senator Aikin the Senate at 12:06 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

### TWENTY-FIRST DAY

(Wednesday, February 15, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### Senate Resolution 125

Senator Aikin offered the following resolution:

Whereas, The Senate of Texas is honored by the presence of Mr. and

Mrs. Leo Witkowski accompanied by Thomas Graf of Hereford; and

Whereas, We wish to express our appreciation of their interest in the functions of our State government: now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

AIKIN  
HAZLEWOOD

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented the guests including Mr. Graf, an exchange student from Germany.

### Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 21, Memorial resolution for Judge S. T. Chandler.

### Reports of Standing Committees

Senator Herring submitted the following report:

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 185, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Senator Bates submitted the following report:

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Transportation, to which was referred S. B. No. 161, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BATES, Chairman.

Senator Aikin submitted the following reports:

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred S. B. No. 200, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred S. B. No. 147, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred S. B. No. 2, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Moore submitted the following reports:

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 5, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 3, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 4, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Hall submitted the following report:

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 186, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

#### Senate Concurrent Resolution 23

Senator Cole offered the following resolution:

S. C. R. No. 23, Commending Joe McDonald and "Burr" Davis, coaches at St. Thomas High School.

Whereas, The coaching team of Joe McDonald and "Burr" Davis has successfully demonstrated its leadership for the last five years at St. Thomas High School, and

Whereas, The Eagles have been in State Texas Catholic Interscholastic League playoffs for four out of five years and have won State Class AAA Championship in 1964, 1965 and in 1966, and

Whereas, This football team of fine young athletes have in three years accomplished a record of 30 wins, 5 losses and 1 tied, and

Whereas, Coach McDonald and

Coach Davis deserve much credit for the success of this team and have inspired them to acquire athletic knowledge and skills and have given them the opportunity to demonstrate good sportsmanship; now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, express its appreciation and extend its congratulations to Joe McDonald and "Burr" Davis and that a copy of this Resolution be sent each of them as a token of the regard and respect of the Legislature for their goals and accomplishments.

The resolution was read.

On motion of Senator Cole and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Word:

S. B. No. 234, A bill to be entitled "An Act relating to detention of mental patients in protective custody in State mental hospitals; amending Section 67, chapter 243, Acts of the 55th Legislature, Regular Session, 1957, (codified as Article 5547-67, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Word:

S. B. No. 235, A bill to be entitled "An Act to provide that the board of directors of water supply or sewer service corporations may hold their annual meeting at any time between January 1 and May 1; amending Section 5, Chapter 76, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 1434a, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Reagan:

S. B. No. 236, A bill to be entitled "An Act authorizing the Texas Department of Mental Health and

Mental Retardation to make contracts for the provision of mental health and mental retardation services; amending Section 2.13, chapter 67, Acts of the 59th Legislature, Regular Session, 1965, (codified as Section 2.13, Article 5547-202, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Cole:

S. B. No. 237, A bill to be entitled "An Act to establish the Texas Air Control Board, prescribe its powers, duties, functions, and procedures, and to provide for the establishment of standards of air quality and the control, prevention, and abatement of air pollution; validating actions of the Texas Air Control Board created by Chapter 687, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-4, Vernon's Texas Civil Statutes); providing penalties; repealing Chapter 687, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-4, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Strong:

S. B. No. 238, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act and being the Act carried in Vernon's Penal Code as Articles 666 and 667, by amending paragraph (1) and Section 15 of Article 1 so as to give the holder of a Brewer's Permit the right to import malt liquors; providing that the holder of a Nonresident Seller's Permit may have an interest in a Brewer's Permit; and by amending Section 57 of Article I so as to give to the holder of a Manufacturer's License or a Brewer's Permit the right to import beer, ale, and malt liquor into Texas; and giving the Board and the Administrator the power to do any and all things necessary to carry out the intent of this section; providing a saving clause; providing for repeal of laws in conflict herewith; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hall:

S. B. No. 239, A bill to be entitled

"An Act to amend Chapter 4, Acts of the 43rd Legislature, 1st Called Session, 1933 (Article 6243a, Vernon's Texas Civil Statutes), by adding a new Section 1A to authorize the Board of Trustees for certain Firemen, Policemen, and Fire Alarm Operators' Pension Funds to employ an investment counselor and to compensate him from the pension fund; to amend Sections 2 and 3, Chapter 4, Acts of the 43rd Legislature, 1st Called Session, 1933, as last amended by Chapter 387, Acts of the 44th Legislature, 1st Called Session, 1935 (Article 6243a, Vernon's Texas Civil Statutes), to increase the maximum permissible deduction and rate of contribution by participants to the fund; and declaring an emergency."

To the Committee on State Affairs.

By Senator Ratliff:

S. B. No. 240, A bill to be entitled "An Act relating to Boards of Trustees of community centers for mental health and mental retardation services; amending certain Sections of Article 3, chapter 67, Acts of the 59th Legislature, Regular Session, 1965, (codified as Article 5547-203, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Herring and Connally:

S. B. No. 241, A bill to be entitled "An Act amending Acts 1947, 50th Legislature, Chapter 194, Page 346, Paragraph 4, and being Article 6675a-13½ of Vernon's Civil Statutes; providing for reflectorized material as a background on all license plates; providing for additional costs; authorizing establishment of specifications; providing for effective date; making the provisions of this act severable; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 242, A bill to be entitled "An Act relating to the practice of professional nursing; amending Articles 4518, as amended, 4525, and 4528 of, and adding Articles 4527a and 4527b to, Revised Civil Statutes of Texas, 1925; repealing Articles 776 and 777, Penal Code of Texas, 1925; and declaring an emergency."

To the Committee on Public Health.

By Senator Hightower:

S. B. No. 243, A bill to be entitled "An Act relating to the admission of mentally retarded persons to State schools; amending Section 9, chapter 119, Acts of the 54th Legislature, Regular Session, 1955, (codified as Article 3871b, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Public Health.

By Senator Hightower:

S. B. No. 244, A bill to be entitled "An Act relating to traveling expenses and automobile allowance for county commissioners in certain counties; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Kennard:

S. B. No. 245, A bill to be entitled "An Act relating to compensation of members of the Texas Board of Mental Health and Mental Retardation; amending Section 2.06, chapter 67, Acts of the 59th Legislature, Regular Session, 1965, (codified as Section 2.06, Article 5547-202, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Finance.

By Senator Brooks:

S. B. No. 246, A bill to be entitled "An Act changing the name of the Houston State Psychiatric Institute for Research and Training to the Texas Research Institute of Mental Sciences; and declaring an emergency."

To the Committee on State Affairs.

By Senator Brooks:

S. B. No. 247, A bill to be entitled "An Act amending Article 2.12, Code of Criminal Procedure of Texas, 1965, relating to definition of the term "peace officer"; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Hightower, Hazlewood and Wade:

S. B. No. 248, A bill to be entitled "An Act relating to false or fraudulent claims, and false or fraudulent proofs in support of a claim for payment of a loss or other benefit upon a contract of insurance and providing penalties; amending Chapter 21 of the Insurance Code by adding a new

Article 21.49; and declaring an emergency."

To the Committee on Insurance.

By Senators Hightower, Hazlewood and Wade:

S. B. No. 249, A bill to be entitled "An Act amending Chapter Seventeen of the Code of Criminal Procedure (Acts 1965, 59th Legislature, Regular Session, Chapter 722, Chapter Seventeen thereof, page 373) by adding thereto a new Article 17.39 providing that whoever, having been admitted to bail for appearance before any court of record of this State, incurs a forfeiture of the bail and willfully fails to surrender himself within thirty (30) days following the date of such forfeiture, shall, if the bail was given in connection with a charge of felony or pending appeal after conviction of any offense, or if the bail was given in connection with a charge of committing a misdemeanor, or for appearance as a witness, be fined or imprisoned; providing penalties for violation; providing further that nothing herein shall interfere with or prevent the exercise by any court of its power to punish for contempt; repealing all laws in conflict; providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 250, A bill to be entitled "An Act defining an eligible district as any independent school district which has an incorporated city and the campus of an institution of higher learning of the State of Texas (a State University or College) located wholly or partially within its boundaries; authorizing any eligible district to contract for the use of stadium and other athletic facilities owned or controlled by other entities; authorizing the pledge of annual maintenance taxes to the payment of the consideration for any such contract provided that such tax is voted at an election; and declaring an emergency."

To the Committee on Education.

By Senator Wilson:

S. B. No. 251, A bill to be entitled "An Act relating to eligibility for grants-in-aid to community centers; amending Section 4.02, chapter 67, Acts of the 59th Legislature, Regular Session, 1965, (codified as Section

4.02, Article 5547-204, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Hall, Bernal, Connally, Berry and Word:

S. B. No. 252, A bill to be entitled "An Act relating to the permanent building to be erected at HemisFair; amending Section 4, Chapter 443, Acts of the 59th Legislature, Regular Session, 1965; adding a new Section 6a; repealing all laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Bernal:

S. B. No. 253, A bill to be entitled "An Act relating to commitment and admission of mentally ill and mentally retarded persons to community centers; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Patman:

S. B. No. 254, A bill to be entitled: "An Act amending Section 1 of Chapter 263, page 507, Acts of the 59th Legislature, Regular Session, 1965; to make said Chapter applicable to any conservation and reclamation district heretofore or hereafter created by Act of the Legislature and designated by name as a river authority under Article XVI, Section 59 of the Constitution; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Watson:

S. B. No. 255, A bill to be entitled "An Act prohibiting offers to sell and sales of merchandise below cost for the purpose of injuring competitors or destroying competition and thereby eliminating employment; defining terms; providing for unlawful practices; providing for evidence of intent to injure competition; providing a criminal penalty for violation; authorizing actions for injunctive relief and stating the parties who may maintain such actions; excepting certain types of sales from the provisions of the Act; providing a saving clause; stating the effect of the Act on existing laws; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. J. R. No. 20, Proposing an Amendment to Article IX of the Constitution of the State of Texas, to permit municipalities, other political subdivisions, and State supported entities located within hospital districts to participate in the establishment, maintenance, support, or operation of mental health services or mental retardation services or public health services.

To the Committee on Constitutional Amendments.

By Senators Hightower, Hazlewood and Wade:

S. J. R. No. 21, Proposing an Amendment to Section 11 of Article 1 of the Constitution of the State of Texas by adding a new subsection to be designated as Section 11B, relating to denial of bail to a person who commits a felony offense while free on bond from another felony charge; providing for the submission of the proposed Amendment to a vote of the people and for proclamation and publication thereof.

To the Committee on Constitutional Amendments.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 58, A bill to be entitled "An Act relating to the acquisition, restoration, and maintenance of historical structures and sites by the Parks and Wildlife Department; and declaring an emergency."

H. B. No. 64, A bill to be entitled "An Act to permit the probate of certain wills and codicils to which have been attached self-proving affidavits; and declaring an emergency."

H. B. No. 245, A bill to be entitled "An Act providing for payment by the Teacher Retirement System of Texas of supplemental service retirement benefits as herein prescribed to each person who has retired as a teacher member prior to the effective date of this Act; prescribing the

amount of such benefits, its duration, and source from which such benefits are to be paid; defining certain terms as used herein; declaring the Act to be cumulative; and declaring an emergency."

H. J. R. No. 1, Ratifying the proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

H. C. R. No. 25, Extending an invitation to the Democratic National Committee to hold its 1968 Convention in the city of Houston, Texas.

H. C. R. No. 26, Extending an invitation to the Republican National Committee to hold its 1968 Convention in the city of Houston, Texas.

H. C. R. No. 27, Commending the Texas Agricultural Extension Service of Texas A&M University for its operation of 4-H Clubs.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Concurrent Resolution 24

Senator Patman offered the following resolution:

S. C. R. No. 24, Commending Mrs. Hilda B. Weinert for her services to the Texas Democratic Party and authorizing the acceptance of a portrait.

Whereas, Mrs. Hilda B. Weinert, wife of the late Hilmar H. Weinert, served her state and the Democratic Party for many years: she was elected to the Texas Democratic Executive Committee in 1938, the year women were first admitted to membership, and served 16 years as Democratic National Committeewoman from Texas; and

Whereas, In January 1965, shortly after her retirement as National Committeewoman, Mrs. Weinert was honored by the citizens of her hometown of Seguin and of Guadalupe County with the celebration of "Hilda B. Weinert Day," in recognition of her devotion and service to her community, her state, and the nation; and

Whereas, Mrs. Weinert was civic-minded from childhood, and though known and loved as "Miss Hilda"

among the homefolks, she is known to thousands of Texans as "Mrs. Democrat," an accolade bestowed for long years of toil in the political vineyards; and

Whereas, A framed portrait of Mrs. Weinert has been offered to the State of Texas without obligation, and it is appropriate that the Texas Legislature give permanent recognition for her dedication to the cause of good government; now, therefore, be it

Resolved, by the Senate of the 60th Legislature, the House of Representatives concurring, That authority be granted by this Resolution for a properly-framed portrait of Mrs. Hilda B. Weinert to hang in the Capitol; and, be it further

Resolved, That copies of this Resolution be forwarded to Mrs. Weinert; to her daughter, Mrs. Roland Blumberg of Seguin; and to Mr. J. F. Gray of Three Rivers, a former member of the Texas House of Representatives, who had the distinction of nominating Mrs. Weinert for her first service with the Democratic National Committee.

The resolution was read.

On motion of Senator Patman and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Concurrent Resolution 25

Senator Strong offered the following resolution:

S. C. R. No. 25, Requesting the Governor to appoint one or more delegates to the Seventh World Petroleum Congress.

Whereas, A healthy, vigorous, and competitive energy industry is essential to a free enterprise economy, to the welfare of the state and nation, to the survival of a free people, and to the economy of the State of Texas which has relied so greatly upon production of hydro-carbon recoverable reserves within its borders as a tax base; and

Whereas, The State of Texas possesses currently within its borders something in the range of 46% of the nation's recoverable oil reserves against 35% of the nation's production and something in the range of 42% of the recoverable gas reserves against 42% of the nation's produc-

tion, and in 1966 prorated oil wells produced an equivalent of 123 days which was the same as in 1961 and 67 days less than the most recent high under state law in 1956; and

Whereas, Texas oil production totaled 1.057 billion barrels in 1957 and virtually the same amount in 1966, while total U.S. demand (requirements) increased about three million b/d during said period (latest API figures); and

Whereas, It is believed that conservation of oil and gas is not non-use or elimination of marginal production, but is, rather, prevention of waste and encouragement of exploration and development activity through adequate opportunity to produce and that to preserve a competitive free enterprise economy and to insure that the public welfare, in all respects, is served to the end that an adequacy of energy requirements within this nation be available at all times and under all conditions, it is necessary that Government regulation be not for the sake of regulation alone but be for the sake of promoting the public welfare, including an adequacy of supply which encompasses a vigorous, healthy energy industry;

Whereas, Leading experts concerning energy requirements of this nation estimate that between now and 1980, the U.S. oil and gas industry must add an average of five billion barrels of oil and 34 trillion cubic feet of natural gas annually (versus three billion and 20 trillion currently) to proved reserves in order to maintain current production-reserve ratios;

Whereas, The industry economic climate today finds drilling rig counts at the lowest levels since World War II, total footage drilled at sharply reduced levels, additions to recoverable reserves failing to keep pace with withdrawals, and continuation of a sharp decline in number of wells drilled now entering its eleventh year.

Whereas, The State of Texas, being the home of the domestic independent producer, is adversely affected by the fact that the relative position of the smaller industry units, as a group, in U.S. exploration and development activities has declined steadily since the mid-1950's; this group, consisting of independent producers and drilling contractors, historically has played an important role in the discovery of oil and gas; hence the multiplicity of

effort in searching for new deposits, particularly in Texas, has thereby been reduced as the incentive to drill has decreased.

Whereas, The Legislature of Texas recognizes that a healthy regulatory and tax climate must take into account the fact that the oil industry is worldwide in scope, operation, and effect and that in order to intelligently, properly, and sufficiently legislate in the conservation and economic fields of oil and gas production and taxation, it is necessary to have available to them all relevant facts that can be acquired concerning the international implications of the oil industry, taking into account, properly and commendably, that much of the free world recoverable reserves is in the hands of American nationals; and

Whereas, The Seventh World Petroleum Congress meets in Mexico City, Mexico, from April 2 to April 8, 1967, and that it is expected that there will be many delegates or officially registered interested parties at this Congress, including leaders in the industry, federal government employees and officers, and many state officers and employees, including, but not limited to, university and educational institutions; and

Whereas, It is the sense of this Legislature that one or more members thereof should be appointed by the Governor of Texas to represent the State at this Congress and to make a report upon such matters as are discussed at the Congress, to the end that State Officials and the citizens of Texas will be better informed in these fields; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That the Governor of Texas designate one or more persons to attend the Seventh World Petroleum Congress, beginning April 2, 1967, as official observers for the State of Texas, and that said designated persons report to the Governor and the Legislature on the field of the studies and effects of the deliberations of this Congress, giving particular attention to Free World energy requirements in all its facets insofar as Texas may be affected thereby.

**STRONG  
HAZLEWOOD**

The resolution was read.

On motion of Senator Strong and by unanimous consent the resolution was considered immediately and was adopted.

#### **Communication From Legislative Audit Committee**

The following communication from the Legislative Audit Committee was read and was referred to the Committee on Nominations:

Austin, Texas,  
February 8, 1967.

To the Senate of the 60th Legislature of the State of Texas.

This is to certify that the Legislative Audit Committee, under the provisions of Senate Bill No. 27 as passed by the 48th Legislature, did on this day appoint C. H. Cavness as State Auditor of the State of Texas for the term expiring February 15th, 1969.

It is respectfully requested that Senate confirmation be given this appointment.

Legislative Audit Committee

By PRESTON SMITH,

Lieutenant Governor

BEN BARNES,

Speaker of the House of Representatives

A. M. AIKIN, JR.,

Chairman of the Senate Finance Committee

DORSEY B. HARDEMAN,

Chairman of the Senate Committee on State Affairs

W. S. HEATLY,

Chairman of the House Appropriations Committee

BEN ATWELL,

Chairman of the House Committee on Revenue and Taxation

#### **Local and Uncontested Bills Committee**

The President announced the appointment of the following as the Local and Uncontested Bills Committee pursuant to the provisions of S. R. No. 85:

Senators Hall, Chairman, Harde-  
man, Ratliff, Reagan and Strong.

#### **Senate Resolution 126**

Senator Hardeman offered the following resolution:



BE IT RESOLVED, by the Senate of the State of Texas, That the President of the Senate designate a member of the Senate of Texas to read The Declaration of Independence adopted by "The Great Convention" at Washington-on-the-Brazos on March 2, 1836, at an appropriate time during the Session of the Senate on Thursday, March 2, 1967.

The resolution was read and was adopted.

#### Senate Resolution 127

Senator Christie offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Frank Owen, III; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Christie by unanimous consent presented former Senator Frank Owen, III, of El Paso to the Members of the Senate.

#### Presentation of Guest

On motion of Senator Schwartz and by unanimous consent Mr. Theodore Bikel of New York was invited to address the Senate.

Mr. Bikel was escorted to the President's Rostrum by Senator Schwartz. The President presented Senator Schwartz to introduce the distinguished guest. Senator Schwartz enumerated many of the accomplishments of Mr. Bikel in the fields of entertainment, including stage, television and musicals as well as his varied interests in the humanities and introduced him to the Members of the Senate.

Mr. Bikel addressed the Senate stating that he was honored to have the privilege of addressing the Senate and thanked the Members for the warm welcome and hospitality extended to him.

#### Co-Authors of Senate Bill 195 and Senate Joint Resolution 14

On motion of Senator Wilson and by unanimous consent Senators Word, Wade and Moore will be shown as Co-authors of S. B. No. 195 and S. J. R. No. 14.

#### Co-Author of Senate Bill 18

On motion of Senator Hazlewood and by unanimous consent Senator Wilson will be shown as Co-author of S. B. No. 18.

#### Senate Bill 2 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent S. B. No. 2 was ordered not printed.

#### Senate Bill 186 Ordered Not Printed

On motion of Senator Kennard and by unanimous consent S. B. No. 186 was ordered not printed.

#### House Concurrent Resolution 25 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 25, Extending an invitation to the Democratic National Committee to hold its 1968 Convention in the city of Houston.

The resolution was read.

On motion of Senator Cole and by unanimous consent the resolution was considered immediately and was adopted.

#### House Concurrent Resolution 26 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 26, Extending an invitation to the Republican National Committee to hold its 1968 Convention in the city of Houston.

The resolution was read.

On motion of Senator Cole and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Bill 135 on Second Reading

Senator Moore moved that Senate Rules 116 and 13 and Section 5 of

Article III of the State Constitution be suspended and that S. B. No. 135 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 135, A bill to be entitled "An Act authorizing the Texas Board of Corrections to convey certain state-owned land held for the use of the State Department of Corrections to Samuel and Samuel in exchange for certain other land of equal acreage; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 135 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S.B. No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Grover
Bates	Hall
Bernal	Hardeman
Berry	Harrington
Blanchard	Hazlewood
Brooks	Herring
Christie	Hightower
Cole	Jordan
Connally	Kennard
Creighton	Mauzy

Moore	Strong
Parkhouse	Wade
Patman	Watson
Ratliff	Wilson
Reagan	Word
Schwartz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

#### Senate Bill 156 on Second Reading

Senator Moore moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 156 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 156, A bill to be entitled "An Act amending Section 7, Chapter 470, Acts of the 45th Legislature Regular Session, 1937, as amended (Article 2922-1, Vernon's Texas Civil Statutes), relating to death and survivor benefits for members and beneficiaries of the Teachers' Retirement System: and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Motion to Place Senate Bill 156  
on Third Reading**

Senator Moore moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 156 be placed on its third reading and final passage.

The motion failed by the following vote (not receiving four-fifths vote of the Members present):

**Yeas—22**

Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Grover	Strong
Harrington	Wade
Herring	Watson
Hightower	Wilson
Jordan	Word

**Nays—7**

Aikin	Hardeman
Bates	Parkhouse
Creighton	Patman
Hall	

**Absent**

Blanchard	Hazlewood
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**Senate Concurrent Resolution 22  
on Second Reading**

Senator Creighton moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. C. R. No. 22 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Bernal
Bates	Berry

Blanchard	Kennard
Brooks	Mauzy
Christie	Moore
Cole	Parkhouse
Connally	Patman
Creighton	Ratliff
Grover	Reagan
Hall	Schwartz
Hardeman	Strong
Harrington	Wade
Hazlewood	Watson
Herring	Wilson
Hightower	Word
Jordan	

The President laid before the Senate on its second reading the following resolution:

S. C. R. No. 22, Granting Commercial Standard Fire & Marine Company permission to sue the State of Texas.

The resolution was read second time and was adopted by the following vote:

**Yeas—31**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

**Senate Bill 21 on Second Reading**

Senator Ratliff moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 21 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Brooks	Hardeman
Christie	Harrington
Cole	Hazlewood

Herring	Ratliff
Hightower	Reagan
Jordan	Schwartz
Kennard	Strong
Mauzy	Wade
Moore	Watson
Parkhouse	Wilson
Patman	

Nays—1

Word

Absent

Blanchard

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 21, A bill to be entitled "An Act amending Sections 1, 4, 5, and 7, Chapter 323, Acts of the 59th Legislature, Regular Session, 1965 (Article 6144g, Vernon's Texas Civil Statutes), to establish the Texas Fine Arts Commission on a permanent basis, provide for its meetings, permit appropriations from state funds for the Commission and eliminate requirement of maintaining an office in Austin; and declaring an emergency."

The bill was read the second time.

Senator Ratliff offered the following Committee Amendment to the bill:

Amend S. B. No. 21 by striking out the word "Fine" in line 24, page 1.

The Committee Amendment was read and was adopted.

Senator Ratliff offered the following Committee Amendment to the bill:

Amend S. B. No. 21 by striking out all above the enacting clause and substituting the following:

S. B. No. 21, A bill to be entitled "An Act amending Sections 1, 4, 5, and 7, Chapter 323, Acts of the 59th Legislature, Regular Session, 1965 (Article 6144g, Vernon's Texas Civil Statutes), to change the name of the Texas Fine Arts Commission to the Texas Arts Commission and to establish the Commission on a permanent basis, provide for its meetings, permit appropriations from state funds for the Commission and elimi-

nate requirement of maintaining an office in Austin; and declaring an emergency."

The Committee Amendment was read and was adopted.

On motion of Senator Ratliff and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Senate Bill 21 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 21 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	

Nays—1

Word

Absent

Blanchard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Brooks	Hardeman
Christie	Harrington
Cole	Hazlewood

Herring	Ratliff
Hightower	Reagan
Jordan	Schwartz
Kennard	Strong
Mauzy	Wade
Moore	Watson
Parkhouse	Wilson
Patman	

Nays—1

Word

Absent

Blanchard

**Senate Bill 125 on Second Reading**

Senator Aikin moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 125 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

Nays—1

Harrington

Absent

Blanchard

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 125, A bill to be entitled "An Act amending paragraph (b) of Article 1.05 of the Insurance Code to provide that compensation to be paid the members of the State Board of Insurance shall be such sums as are provided for by the Appropriation Acts."

The bill was read second time and was passed to engrossment.

**Record of Vote**

Senator Grover asked to be recorded as voting "Nay" on the passage of S. B. No. 125 to engrossment.

**Senate Bill 125 on Third Reading**

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 125 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Hazlewood	Wilson
Herring	Word

Nays—2

Harrington

Watson

Absent

Blanchard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Record of Vote**

Senator Grover asked to be recorded as voting "Nay" on the final passage of S. B. No. 125.

**Welcome and Congratulatory Resolutions**

S. R. No. 128 — By Senator Bernal: Commending William R. Sinkin of San Antonio for his efforts on behalf of HemisFair.

S. R. No. 129—By Senators Bernal and Berry: Commending the Distribu-

tive Education Clubs of America—Texas Association and State President Patrick Corbin of San Antonio and Miss Barbara Oakley of Amarillo.

S. R. No. 130 — By Senator Herring: Extending welcome to students and teachers of the sixth grade of Allison School of Austin.

S. R. No. 131 — By Senator Watson: Extending welcome to teacher and students of the Texas History Class of Chilton High School.

#### Adjournment

On motion of Senator Hardeman the Senate at 11:48 o'clock a.m. adjourned until 10:00 o'clock a.m. tomorrow.

#### APPENDIX

Sent to Governor  
February 15, 1967  
S. C. R. No. 21

#### TWENTY-SECOND DAY

(Thursday, February 16, 1967)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of

yesterday was dispensed with and the Journal was approved.

#### Reports of Standing Committees

Senator Hardeman submitted the following report:

Austin, Texas,  
February 16, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 146, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass and be not printed.

HARDEMAN, Chairman.

Senator Cole submitted the following reports:

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 140, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 46, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,  
February 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. C. R. No. 9, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

COLE, Chairman.

Senator Patman submitted the following reports: